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## News briefing “The United Kingdom’s departure from the European Union”

Following the referendum on 23 June 2016, the United Kingdom decided to trigger Article 50 of the Treaty on European Union, notifying the European Council on 29 March 2017 of its intention to leave the EU.

On 17 October, EU and UK negotiators agreed a new draft Withdrawal Agreement but British MPs requested a further extension to ratify the Agreement. The date of Brexit, set at 31 October 2019, was thus postponed until 31 January 2020; if the UK fails to ratify the Withdrawal Agreement, it will leave the EU on that date.

**On 20 December 2019, the House of Commons passed the Withdrawal Agreement Bill.** The British procedure for enacting the Bill is not yet complete; the text still needs to be examined by the House of Lords and receive Royal Assent. The European Parliament will then be able to ratify the Agreement, probably at the end of January.

In brief, here are the two main possibilities for what will happen:

- The UK leaves the EU on 31 January 2020 without ratifying the Withdrawal Agreement (**unlikely**):
  - customs clearance formalities are reinstated at the entry/exit points from each customs territory;
  - customs tariff barriers (customs duties/taxes) and non-tariff barriers (application of trade policy measures) are reinstated;
  - sanitary/phytosanitary checks are reinstated (French Ministry of Agriculture and Food);
  - the Common Transit Convention applies.
- The Withdrawal Agreement passes and is ratified before 31 January 2020 = start of a transition period until 31 December 2020:
  - although legally outside the EU, the UK has to comply with the entire EU *acquis* (in particular all EU directives, rules and standards), but cannot participate in the institutions or be involved in the decision-making processes;
  - the UK will continue to benefit from the Single Market, i.e. in practice there will be no change to customs or sanitary measures until 31/12/20;
  - possible negotiation of a free trade agreement which will reduce or eliminate customs duties (but not customs clearance formalities for imports/exports).

**During the transition period from 31 January 2020 – 31 December 2020:**

*NB: this period could be extended by one to two years*

**DEBs continue to be used for trade with the United Kingdom**

The circular of 2 January 2020 on the declaration of exchanges of goods between EU Member States includes details related to Brexit.

**At the end of the transition period, on 1 January 2021:  
Customs formalities and implementation of the “smart border”**

On the “smart border” for Calais Tunnel, Calais Port and Dunkerque Port:

To keep goods traffic flowing freely, French customs has set up a technological solution based on advance preparation for customs formalities. This “smart border” has been designed to operate regardless of the customs regime used. In brief, the steps in the process are as follows:

- 1- the declarant prepares a [transit](#) declaration (up to **72 hours in advance**), or an [import or export](#) declaration (can be done up to **30 days** ahead) in order to obtain a document with a barcode (MRN), which it sends to the vehicle driver;
- 2- on arrival at the embarkation sites in Calais or Dunkerque, the driver presents the MRN (on paper or smartphone) at a terminal. A link is created with their vehicle number plates, which will have been scanned by automatic number plate readers. The particular situation of goods subject to sanitary/phytosanitary checks, fishery products and empty trailers must be flagged at this stage of the process;
- 3- the declarant receives automatic notification when the vehicle has embarked and validates the customs clearance declaration (transit declarations will be automatically validated);
- 4- the driver receives notification during the crossing of the situation with respect to the goods and which lane to take on disembarkation. There are two possible options:
  - “green lane” = the vehicle is not presented at the customs office (in the case of transit or a customs clearance declaration release warrant or an empty lorry);
  - “orange lane” = the vehicle must park in a parking area near the customs office (if the formalities were not completed in advance or an inspection is required).

**Further information about Brexit:**

- [page](#) in French about Brexit on the French customs website (douane.gouv.fr)
- [page](#) in English about Brexit on the French customs website (douane.gouv.fr)
- [guide](#) by French customs on preparing for Brexit
- crossing the [smart border](#)
- dedicated French customs service email address: [brexit@douane.finances.gouv.fr](mailto:brexit@douane.finances.gouv.fr)
- [official website of the French government “Brexit in practice”](#)